

Appl. No. 09/576,946
Amdt. dated June 3, 2004
Reply to Office Action

PATENT

REMARKS/ARGUMENTS

Upon entry of this amendment, claims 1, 2, 4-14, 16, 17, 20-22 and 25 have been amended, claims 27-28 have been added and claim 15 has been canceled; claims 1-14 and 16-28 remaining pending.

Election/Restriction

In the Office Action, it was alleged that claims 17-26 are subject to restriction. More specifically, it was alleged that claims 17-26 are directed to an invention that is independent or distinct from claims 1-16, on the basis that the broadest combination claim (i.e., claim 1) does not require the particulars of the subcombination claim (i.e., claim 17) because claim 1 does not require cataloging documents based on one or more filtering methodologies. For at least the reasons set forth below, Applicant respectfully traverses the foregoing conclusion and requests reconsideration of claims 17-26.

Applicant does not dispute the legal criteria for determining restriction, namely, that a restriction is proper when a combination does not require the particulars of a subcombination. However, in this particular instance, Applicant respectfully submits that the application of the foregoing legal criteria to claims 17-26 is incorrect. This is because claim 17 is not a subcombination subsumed under claim 1. A more careful comparison of the two claims shows that claims 1 and 17 actually recite a number of similar elements, for example, concurrent selection of values for two or more dimensions. Such similar elements in both claims are indicative that one claim is not a subcombination of another. The fact that one claim has an additional feature, in this case, use of one or more filtering methodologies, merely shows that the two claims have varying scope. It is well established that two claims are allowed to have varying scope and yet are not subject to restriction.

Furthermore, claim 17 and claim 8 also recite some similar elements. It is previously determined that claim 8 is not subject to restriction. Hence, for at least the reasons discussed above, claims 17-26 should not be subject to restriction and Applicant respectfully requests reconsideration of claims 17-26.

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Claim Rejections - 35 U.S.C. 112

Claims 1-9 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement in that the claims contain subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor, at the time the application was filed, had possession of the claimed invention. More specifically, it is alleged that, with respect to claim 1, there is no disclosure in the specification which discloses "a selector allowing the user to concurrently select two or more of the following categories" For at least the reasons set forth below, Applicant respectfully requests that the foregoing rejection be withdrawn.

Applicant directs attention to page 7, lines 23-30 of the specification. The cited excerpt clearly discloses that a user can set values for each of the dimensions using the pull-down menu. Multiple values can be set before a search is run. That is, a user is able to concurrently select multiple values. Programming techniques with respect to user interface are well-known in the art. Hence, based on the disclosure provided herein, a person skilled in the art should be able to practice the claimed invention. Therefore, Applicant respectfully submits that the foregoing rejection should be withdrawn.

Claim Rejection - 35 U.S.C. 102

Claims 7 and 8 are rejected under 35 U.S.C. 102(e) as anticipated by Zellweger (U.S. Pat. No. 6,301,583) ("Zellweger '583"). For at least the reasons identified below, Applicant respectfully submits that these claims as amended are now allowable over the cited art.

As to claim 7, it is alleged, amongst other things, that Zellweger '583 discloses a user interface for accessing web pages on a network, the user interface including a detection means for accepting signals from a user interface device to detect one or more dimensions, a selection means for selecting one or more web pages and a display means for presenting a list of the selected web pages on a display device. As amended, claim 7 now includes a detection means that detects values for two or more dimensions that are concurrently specified by a user. In contrast, as stated by Examiner, under the Zellweger '583 system, the user navigates through

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succession of pop-up list menus to reach information on a web page by sequentially selecting a criterion one at a time. The present invention as recited in claim 7 clearly does not require a user to navigate through succession of pop-up list menus to retrieve the desired information. In addition, the Zellweger '583 system does not include a display means for presenting a list of selected web pages on the display device. A further review of the cited excerpt in Zellweger '583 (col. 8; lines 7-13) shows that the Zellweger system does not display a list of selected web pages; rather, the user has to navigate through each web page in a sequential manner. Furthermore, claim 7 now includes the feature that a web page is broken up into a number of portions and that only a portion meeting values for the chosen dimensions is displayed. The foregoing feature is not disclosed or suggested by Zellweger '583. For at least the reasons identified above, Zellweger '583 does not disclose or suggest the foregoing features as recited in amended claim 7. Hence, Applicant respectfully submits that amended claim 7 is allowable over the cited art.

As to claim 8, the same rationale and arguments identified in connection with claim 7 above apply with equal force. Similarly, Applicant respectfully submits that amended claim 7 is also allowable over the cited art.

Claim Rejections - 35 U.S.C. 103

Claims 1-4, 6, 9-10, 12-13, 15-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zellweger '583 in view of Zellweger (U.S. Pat. No. 6,379,222) ("Zellweger '222"). For at least the reasons identified below, Applicant respectfully submits that these claims as amended are now allowable over the cited art.

As to claim 1, it is alleged that Zellweger '583 discloses a method for accessing web pages including, amongst other things, transferring a portion of a web page from the server computer to the display device over the network, wherein the portion of the web page includes a selector allowing the user to select two or more of dimensions. To the contrary, Zellweger '583 does not disclose or teach the foregoing feature. As shown in Fig. 5, while the pop up list menu contains several categories, the Zellweger system does not allow a user to select values for more than one dimension. Hence, the Zellweger system does not allow the user to make concurrent selections.

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Also, it is alleged that the method disclosed in Zellweger '583 includes detecting a user's choice by receiving information generated in response to signals from the user input device to indicate values for the two or more dimensions chosen by the user. As discussed above and further refuted by the cited excerpt, the method disclosed in Zellweger '583 does not show allowing a user to select values for more than one dimension, nor does it show allowing the user to make concurrent selections. To the contrary, the user has to navigate through succession of pop up list menus to reach information on a web page.

Furthermore, claim 1 has now been amended to include the feature that an identified web page is broken up into a number of portions and that only a portion meeting values for the chosen dimensions is forwarded to the user computer. This foregoing feature is not disclosed or suggested by Zellweger '583.

Hence, for at least the reasons set forth above, Zellweger '583 does not disclose or teach the foregoing features as recited in amended claim 1. Therefore, Applicant respectfully submits that the rejection of claim 1 is deficient and requests that such rejection be withdrawn.

Furthermore, it is alleged that it would have been obvious to use the teachings disclosed in Zellweger '222 to modify Zellweger '583 to arrive at the dimensions including geographic location, corporate department, employee classification and time period. A closer review of Zellweger '222 shows the contrary. As stated in the cited excerpt, the topics are organized in an open hierarchical data structure. The fact that these topics are organized in a hierarchical structure does not necessarily mean that their concurrent selections can be made as recited in claim 1. In fact, as shown in Fig. 10 of Zellweger '222, the topics are displayed in a staggered manner and, as previously mentioned, selection is made sequentially. Furthermore, it is alleged that " the plurality of content lists 21 are list played to the user concurrently as shown in Fig. 10." It should be noted that concurrent display is not the same as concurrent selection. Therefore, it would not have been obvious to modify Zellweger '583 using Zellweger '222 to arrive at the features as recited in amended claim 1. Hence, for this additional reason, Applicant respectfully submits that amended claim 1 is further allowable over the cited art.

With respect to claims 2-4 and 6, these claims are dependent either directly or indirectly from the allowable claim 1 as discussed above and thus derive their patentability

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therefrom. As a result, these claims are also allowable over the cited art. Despite the derived patentability from claim 1, some of these claims by themselves are also patentable over the cited art. For example, with respect to claim 3, as discussed above, Zellweger '583 does not disclose displaying a list of identified web pages; instead, Zellweger '583 only shows displaying one web page at a time. Hence, claim 3 is further allowable over the cited art.

With respect to claim 4, it is not at all clear how the cited excerpts, col. 4, lines 53-63 and col. 5, lines 30-35, show that a document can be associated with a dimension. Col. 4, lines 53-63, show that files are logically grouped together in one or more directories on a server. Col. 5, lines 30-35, show that an URL can be menu data in a data structure. Furthermore, this claim has been amended to include the feature that different portions of a document can be associated with different values for the same dimension. Neither Zellweger '583 nor Zellweger '222 discloses or suggests the foregoing feature. Hence, at least for the reasons set forth above, claim 4 is allowable over the cited art.

With respect to claim 6, it is alleged that Zellweger '222 discloses defining a theme. To the contrary, as shown in the cited excerpt, different types of department indicate sub-dimensions rather than a theme. Claim 6 also recites that a theme is based on contents of the documents. The foregoing feature is not disclosed or suggested in Zellweger '222. Hence, claim 6 is further allowable over the cited art.

As to claims 8 and 10, these claims have been amended to include the feature that different portions of a document can be associated with different values for the same dimension and that only portions of the document that meet the values specified by a user are forwarded to the user. Therefore, the same rationale and arguments identified in connection with claims 1 and 4 above apply with equal force. Hence, claim 10 is also allowable over the cited art.

With respect to claims 12-14 and 16, these claims are dependent either directly or indirectly from claim 10 and thus derive their patentability therefrom. Hence, these claims are also allowable over the cited art.

Claims 5 and 11 are rejected under 35 U.S.C. 103 as being unpatentable over Zellweger '583 in view of Zellweger '222 as applied to claim 4 and further in view of Mills (U.S.

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Pat. No. 6,466,940). For at least the reasons identified below, Applicant respectfully submits that these claims are allowable over the cited art.

First, claims 5 and 11 are dependent from claim 1 and 10 respectively and thus derive their patentability therefrom. Notwithstanding the foregoing, claim 5 by itself is further allowable over the cited art.

With respect to claim 5, it is alleged that Zellweger '222 discloses associating a user with one or more values for a dimension. The cited excerpt does not support this position. For example, the cited excerpt merely shows that an end-user is able to bind a URL to a data structure and that the end-user is able to fill in an identifier with a topic string. There is clearly no teaching or suggestion that a user is to be associated with one or more values for a dimension. In addition, it is also alleged that it would have been obvious to use Mills to modify the combined method of Zellweger '583 and Zellweger '222 to arrive at the feature of using the user's associated values for each dimension as default values associated with the created document. As discussed above, there is no teaching or suggestion to combine Zellweger '583 and Zellweger '222. Furthermore, Mills merely discloses using various types of information associated with databases when searching databases. There is clearly no teaching or suggestion that the user's associated values for each dimension is to be used as default values associated with the created document. Hence, Applicant respectfully submits that claim 5 is further allowable over the cited art.

Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Zellweger '583 in view of Zellweger '222 as applied to claim 10 and further in view of Merriman (U.S. Pat. No. 5,948,061). For at least the reasons identified below, Applicant respectfully submits that claim 14 is allowable over the cited art.

With respect to claim 14, it is alleged that it would have been obvious to use Merriman's teachings to modify the combined method of Zellweger '583 and Zellweger '222. The cited excerpt does not support this position. Merriman merely discloses a system where a user clicks on an advertisement within a predetermined time period. There is no teaching or

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suggestion that a time period is to be used as a dimension for cataloging and searching web pages. Hence, Applicant respectfully submits that claim 14 is allowable over the cited art.

New Claims

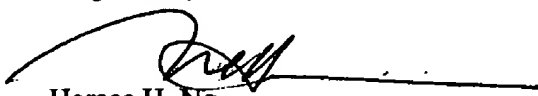
Claims 27-28 have been added for consideration. It is believed that these claims do not introduce any new matter and are fully supported by the specification. It is further believed that these claims are patentable over the cited art.

CONCLUSION

In view of the foregoing, Applicant believes all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 415-576-0200.

Respectfully submitted,


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